

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA  
TUESDAY, JULY 17, 2007, 6:30 P.M.**

A. Call to Order and Roll Call

- B. 1. Citizen Comment Period  
2. Announcements from Mayor Taylor of upcoming community events & news items  
a. Certificate of Commendation-Julie Jablonowski.  
b. Request from Kay Chmielewski for sponsorship in the Chicago Marathon to raise money for The Brain Cancer Research Center in honor of Robert Schabowski.

Immediately prior to the automatic recess at 9:30 p.m., items remaining on the agenda will be prioritized by the Mayor and Common Council. Any items not addressed prior to 10:00 p.m. will be referred to the next Common Council meeting. The Council reserves the right to vary from these times as it deems appropriate.

C. Approval of Minutes

1. Approval of regular meeting of June 19, 2007.

D. Hearings

1. 2008 Milwaukee County Community Development Block Grant (CDBG) Program.

E. Letters and Petitions

F. Reports and Recommendations

1. Consent Agenda  
a. Fire Department donation of \$200 from Franklin Lioness Club.  
b. Health Department donation of \$200 from Franklin Lioness Club.  
c. Resolution authorizing certain officials to accept a temporary grading easement from MLG/Franklin, LLC for S. 27th Street at W. Wheaton Way.  
d. Resolution authorizing certain officials to accept permanent sanitary sewer, storm, temporary turnaround and access easements for Cardinal Heights Subdivision, approximately 9200 S. 51st Street.  
e. Resolution accepting an easement for the installation and maintenance of storm sewer and drainage for Berkshire Addition No. 2 Subdivision, approximately S. 50th Street and Devinshire Drive.  
f. Resolution authorizing certain officials to accept permanent sanitary sewer easement for Tess Corners Creek Subdivision, approximately 7400 S. North Cape Road.  
g. Resolution authorizing certain officials to accept a temporary sloping and stockpile easement from MLG/Franklin LLC at W. Wheaton Way.  
h. Reschedule Committee of the Whole meeting for August 6, 2007 to August 7, 2007.  
2. 2008 Milwaukee County Community Development Block Grant (CDBG) Program Applications.  
3. Resolution to amend Resolution Nos. 1983-2130 and 2002-5380 imposing conditions and restrictions for the approval of a Special Use for property located at approximately 7900 W. Crystal Ridge Drive (Milwaukee County Parks Department, applicant).  
4. Resolution Authorizing Certain Officials to Execute an Encroachment Agreement with Ener-Con Companies LLC for a Dwelling Structure at 11950 West St. Martins Road.

5. Resolution to accept the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Dr. Shahid Chughtai, 7211 W. Rawson Avenue for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance (Sections 15-4.0102.H and 15-4.0102.I).
6. Resolution to accept the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Edward and Janine Spidell, 3112 W. Yorkshire Circle for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance (Section 15-4.0102.I).
7. Resolution to amend Resolution No. 2006-6152, A Resolution to Amend Resolution No. 1979-1516 imposing conditions and restrictions for the approval of a Special Use (trucking facility) for property located at approximately 10601 S. 27th Street (Con-Way Freight, Inc., f/k/a Con-Way Transportation Systems, Inc.)
8. Resolution Requesting Intergovernmental Support and Participation from the U.S. Department of Transportation Federal Highway Administration (FHWA), the State of Wisconsin Department of Transportation (WISDOT) and the Southeastern Wisconsin Regional Planning Commission (SEWRPC), in the Redevelopment of South 27th Street.
9. Ordinance to Amend the Unified Development Ordinance Text at Table 15-4.011 (Footnote) and Section 15-11.0103 (Definition of "Development") to Exclude the Improvements Made to the Lands Constituting the St. Martins Bike Trail.
10. Ordinance to Amend the Unified Development Ordinance Text at §15-9.0205 to clarify that a text amendment does not require notice more than a Class 2 publication notice.
11. Direction to the Plan Commission upon a proposed text amendment to the Unified Development Ordinance to the P-1 Park District lot size requirements.
12. Financing alternatives, including but not limited to bonding, special assessments, development agreements, tax incremental financing and funding sources, for the potential installation of necessary public infrastructure, such as sewer, water, streets, storm water utilities, and the like, in the potential development of the City Civic Center District.
13. Award of contract to demolish house located at 7337 S. 68th Street.
14. Report from Engineering Department on extension of S. Hillendale Drive and W. Marquette Avenue.
15. Preliminary resolution declaring intent to exercise special assessment powers granted by Section 207-15 of the Municipal Code and Section 66.0701 of the State Statutes for reconstruction of S. 51st Street and its intersection with W. Rawson Avenue and set the public hearing date for August 7, 2007 at 6:45 p.m.
16. Accept property owner's petition and waiver of hearing for extension of concrete curb and gutter on S. 33rd Street.
17. Determination of future use of City owned-property at 8921 W. Drexel Avenue.
18. Committee of the Whole Recommendations
  - A. Resolution approving 2007 budget changes to various departments of the general fund, the capital outlay fund, the equipment revolving fund, the capital improvement fund and the debt service fund.
  - B. Implementation Plan for GASB #45, other post employment benefits.
  - C. Training and guidance to members of City Boards and Commissions and their responsibilities regarding public statements (Ald. Olson).

- D. Request from Franklin Senior Citizens, Inc. to use City Hall Community Room every Monday evening for social area [contrary to Section (4) of Resolution No. 2004-5725].
- E. Filling of vacant positions (Ald. Sohns).
- F. City policy – post storm disposal of downed trees (Ald. Sohns).
- G. Status of Common Council initiatives (Ald. Sohns)
  - 1. 76th Street reconstruction – local/county agreement
  - 2. Ruekert-Mielke study – boards and commissions
  - 3. Complaint tracking process
  - 4. Homeowners/condo association registry
  - 5. Community Center Study Committee
  - 6. Sign ordinance
- 19. Acquisition of properties for right-of-way for the reconstruction of S. 51st Street from W. Rawson Avenue to a point 1300 feet to the north. The Common Council may enter closed session pursuant to §19.85(1)(e), Stats. to consider the acquisition of properties by the City for public purposes for right-of-way for the extension of S. 51st Street and the negotiation of the acquisition of such properties and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
- 20. Acquisition of property for public park purposes; 9.7 acres on parcel #885-9996-000 (Hilltop Lane at S. 80th Street) and 3.5 acres on parcel #885-9995-002 (9221 S. 76th Street). The Common Council may enter closed session pursuant to §19.85(1)(e), Wis. Stats., to consider an offer to sell property to the City intended to be used for public park purposes and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
- 21. Water service agreements between the City of Franklin and the City of Oak Creek and their respective Utilities and the recovery of unrealized revenue resulting from the subject matter of *City of Oak Creek ex rel. Water and Sewer Utility Com'n v. Public Service Com'n of Wisconsin*, 716 N.W.2d 152, 2006 WI App 83 (Ct.App.2006), *review denied*. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Wis. Stats., to deliberate upon the subject of water service agreements between the City of Franklin and the City of Oak Creek and their respective Utilities and the negotiation and implementation of the terms thereof and to confer with the City Attorney as legal counsel for the Common Council and the Board of Water Commissioners, who is rendering advice concerning strategy to be adopted by the Council and/or by its Board of Water Commissioners with respect to litigation upon matters involving the recovery of unrealized revenue resulting from the subject matter of *City of Oak Creek ex rel. Water and Sewer Utility Com'n v. Public Service Com'n of Wisconsin*, 716 N.W.2d 152, 2006 WI App 83 (Ct.App.2006), *review denied*, and litigation in which it is likely to become involved to recover such loss amounts, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
- G. Organizational Business
  - 1. Boards and Commissions Appointments.
- H. Licenses and Permits
  - 1. Miscellaneous Licenses.

# **Franklin Common Council**

**7/17/07**

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## **I. Bills**

1. Vouchers and Payroll approval.

## **J. Adjournment**

\*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

## **REMINDERS:**

July 19	Plan Commission	7:00 p.m.
August 6	Committee of the Whole	6:30 p.m.
August 7	Common Council	6:30 p.m.